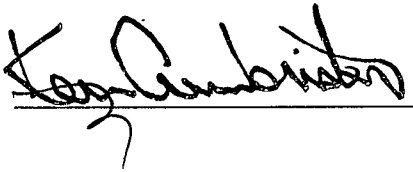


By:



S.B. No. 780

A BILL TO BE ENTITLED

AN ACT

relating to a requirement that certain irrigation systems have rain shut-off devices.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1903.053, Occupations Code, is amended by adding Subsection (d) to read as follows:

(d) Notwithstanding Subsection (b), the commission shall adopt standards requiring a newly installed or modified irrigation system to have a rain shut-off device that overrides the irrigation cycle of the system when a specified amount of rainfall has occurred.

SECTION 2. This Act takes effect September 1, 2003.

1-1 By: Armbrister S.B. No. 780
1-2 (In the Senate - Filed February 28, 2003; March 5, 2003,
1-3 read first time and referred to Committee on Natural Resources;
1-4 May 23, 2003, reported favorably by the following vote: Yeas 8,
1-5 Nays 0; May 23, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to a requirement that certain irrigation systems have rain
1-9 shut-off devices.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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1-12 by adding Subsection (d) to read as follows:

1-13 (d) Notwithstanding Subsection (b), the commission shall
1-14 adopt standards requiring a newly installed or modified irrigation
1-15 system to have a rain shut-off device that overrides the irrigation
1-16 cycle of the system when a specified amount of rainfall has
1-17 occurred.

1-18 SECTION 2. This Act takes effect September 1, 2003.

1-19 * * * * *

FAVORABLE
SENATE COMMITTEE REPORT ON

(SB) SCR SJR SR HB HCR. HJR 780
By ARMBRISTER
(Author/Senate Sponsor)
5/23/03
(date)

We, your Committee on NATURAL RESOURCES, to which was referred the attached measure,
have on 5/22/03, had the same under consideration and I am instructed to report it
(date of hearing)
back with the recommendation (s) that it:

☒ do pass and be printed

☐ do pass and be ordered not printed

☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☒ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

| | YEA | NAY | ABSENT | PNV |
|-----------------------------|-------------------------------------|-----|-------------------------------------|-----|
| Senator Armbrister, Chair | <input checked="" type="checkbox"/> | | | |
| Senator Jackson, Vice-Chair | <input checked="" type="checkbox"/> | | | |
| Senator Barrientos | | | <input checked="" type="checkbox"/> | |
| Senator Duncan | | | | |
| Senator Estes | <input checked="" type="checkbox"/> | | | |
| Senator Fraser | <input checked="" type="checkbox"/> | | | |
| Senator Hinojosa | <input checked="" type="checkbox"/> | | | |
| Senator Lindsay | <input checked="" type="checkbox"/> | | | |
| Senator Lucio | <input checked="" type="checkbox"/> | | | |
| Senator Shapiro | | | <input checked="" type="checkbox"/> | |
| Senator Staples | <input checked="" type="checkbox"/> | | | |
| TOTAL VOTES | 8 | 0 | 3 | 0 |

COMMITTEE ACTION

S260 Considered in public hearing

S270 Testimony taken

W. C. Gilbert
COMMITTEE CLERK

[Signature]
CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill
Retain one copy of this form for Committee files

WITNESS LIST

SB 780

SENATE COMMITTEE REPORT

Natural Resources

April 15, 2003 - 10:00AM

FOR: Baker, Carole Director of Governmental Relations (TX Section American Water Works Association), Friendswood, TX
Finch, Ph.D., Calvin Conservation Director (San Antonio Water System), San Antonio, TX
Gregs, Tony Engineer (Texas Section AWWA), Austin, TX
Hubener, Katy Executive Director (Blue Skies Alliance), Duncanville, TX
Kramer, Ken Director (Lone Star Chapter, Sierra Club), Austin, TX
Mintz, David (Texas Apartment Association), Austin, TX
Schwartz, John (Texas Turf Irrigation Association), Amarillo, TX

Registering, but not testifying:

FOR: Bening, Rita (Dallas Sierra Club), Addison, TX
Brannan, David (Austin Lawn Sprinklers Association), Austin, TX
Everheart, Harvey General Manager (Mesa Underground Water Conservation District), Lamesa, TX
Hess, Myron Attorney (National Wildlife Federation), Austin, TX
MacLeod, Mark (Environmental Defense), Austin, TX
McCain, Carmon (High Plains Underground Water Conservation District No. 1), Lubbock, TX

AGAINST: Hubener, Ann Board Member (Downwinders at Risk), Duncanville, TX

May 22, 2003 - 10:00AM

Registering, but not testifying:

FOR: Baker, Carole Director of Intergovernmental Relations (American Water Works Assn.), Friendswood, TX
Finch, Calvin Conservation Director (San Antonio Water System), San Antonio, TX

BILL ANALYSIS

Senate Research Center
782861 QS-F

S.B. 780
By: Armbrister
Natural Resources
4/9/2003
As Filed

DIGEST AND PURPOSE

Municipalities, counties, and political subdivisions have allowed irrigation systems to be installed without any permitting or inspection requirement, resulting in the installation of many poorly designed systems that waste millions of gallons per day. As proposed, S.B. 780 requires municipalities and political subdivisions to ensure that an irrigation system has a rain shut-off device.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1903.053, Occupations Code, by adding Subsection (d) to require the Texas Commission on Environmental Quality (TCEQ) to adopt standards requiring a newly installed or modified irrigation system to have a rain shut-off device that overrides the irrigation cycle of the system when a specified amount of rainfall has occurred, notwithstanding Subsection (b).

SECTION 2. Effective date: September 1, 2003.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

March 13, 2003

TO: Honorable Kenneth Armbrister, Chair, Senate Committee on Natural Resources

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB780 by Armbrister (Relating to a requirement that certain irrigation systems have rain shut-off devices.), **As Introduced**

| |
|---|
| No significant fiscal implication to the State is anticipated. |
|---|

Although there could be some additional costs to state and local governments installing irrigation systems as a result of the bill's passage, such costs are not anticipated to be significant.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 582 Commission On Environmental Quality

LBB Staff: JK, CL, MS, TL

REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR CHRIS HARRIS, CHAIRMAN
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that SIB 780, by ARMBRISTER,
(Bill No.) (Author/Sponsor)
was heard by the Committee on Natural Resources on 5/22, 2003,
and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.

Kelly C. Bellant
(Clerk of the reporting committee)

IMPORTANT: A COPY OF THIS FORM MUST BE ATTACHED TO A COMMITTEE PRINTED VERSION OF THE BILL OR RESOLUTION AND SHOULD BE DELIVERED TO THE ADMINISTRATION COMMITTEE OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS AND RESOLUTIONS WILL BE ANNOUNCED ON A REGULAR BASIS.

S.B. No. 780

By Ken Ambrose

A BILL TO BE ENTITLED

AN ACT:

relating to a requirement that certain irrigation systems have rain shut-off devices.

02-28-2003

Filed with the Secretary of the Senate

MAR 05 2003

Read and referred to Committee on NATURAL RESOURCES

MAY 23 2003

Reported favorably _____

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

MAY 28 2003

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by: { unanimous consent
_____ yeas, _____ nays

MAY 28 2003

Read second time, _____, and ordered engrossed by: { unanimous consent
a viva voce vote
_____ yeas, _____ nays

MAY 28 2003

Senate and Constitutional 3 Day Rule suspended by a vote of 31 yeas, 0 nays.

MAY 28 2003

Read third time, _____, and passed by: { A viva voce vote
31 yeas, 0 nays

Latey Spaw
SECRETARY OF THE SENATE

OTHER ACTION:

May 28, 2003

Engrossed

May 28, 2003

Sent to House

Engrossing Clerk Mardi Alexander

MAY 28 2003

Received from the Senate

Read first time and referred to Committee on _____

Reported _____ favorably (as amended) (as substituted)

Sent to Committee on (Calendars) (Local & Consent Calendars)

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend) by a vote of _____ yeas, _____ nays, _____ present, not voting.

Read third time (amended); finally passed (failed to pass) by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

Returned to Senate.

CHIEF CLERK OF THE HOUSE

Returned from House without amendment.

Returned from House with _____ amendments.

Concurred in House amendments by a viva voce vote _____ yeas, _____ nays.

_____ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

_____ Senate conferees instructed.

_____ Senate conferees appointed: _____, Chairman; _____
_____, _____, and _____

_____ House granted Senate request. House conferees appointed: _____, Chairman;
_____, _____, _____.

_____ Conference Committee Report read and filed with the Secretary of the Senate.

_____ Conference Committee Report adopted on the part of the House by: _____

{ a viva voce vote
_____ yeas, _____ nays

_____ Conference Committee Report adopted on the part of the Senate by:

{ a viva voce vote
_____ yeas, _____ nays

OTHER ACTION:

_____ Recommitted to Conference Committee

_____ Conferees discharged.

_____ Conference Committee Report failed of adoption by: _____

{ a viva voce vote
_____ yeas, _____ nays